

IN THE COUNTY COURT OF THE SECOND JUDICIAL DISTRICT OF  
BOLIVAR COUNTY, MISSISSIPPI

KANOAH MOSLEY

PLAINTIFF

VS.

CIVIL ACTION NO.

21-118

DOLLAR GENERAL, CORP.

DEFENDANT

**COMPLAINT**

**JURY TRIAL DEMANDED**

COMES NOW, the Plaintiff, Kanoah Mosley, and files the following Complaint against Dollar General, Corp. and would show unto the Court the following:

**I. PARTIES**

- 1) Plaintiff, Kanoah Mosley is an adult resident citizen of Bolivar County, residing at 18 Cemetery Road, Shaw, Mississippi.
- 2) Defendant, Dollar General, Corp. (hereinafter referred to as "Dollar General") is a foreign corporation, doing business in Mississippi, whose principal place of business is located in Goodlettsville, Tennessee. They may be served through their registered agent, Corporation Service Company, 7716 Old Canton Road, Suite C, Madison, Mississippi 39110.

**II. FACTUAL ALLEGATIONS**

- 3) On or about September 1, 2019, the Plaintiff, Kanoah Mosley, was a patron and customer at the Dollar General store and premises in Bolivar County, Mississippi, located at 104 US-61, Shaw, Mississippi 38773.

**EXHIBIT  
1**



5) While a customer on the Defendant's property, Plaintiff Mosley tripped on a defect on the ground of the premises. Upon information and belief, Defendant had knowledge of the defective and/or dangerous condition on its premises, prior to the Plaintiff tripping on the same and suffering injury. There was no warning of the defective and dangerous condition upon which Plaintiff tripped and fell.

6. After Plaintiff Mosley tripped on the dangerous condition on the premises she was required to present to several medical providers to receive medical treatment due to suffering a concussion, knee, neck and back pain and bruising. She has incurred and continues to incur several thousands of dollars of damages as a result of these injuries. Plaintiff continues to experience severe pain and reduction in quality of life. Due to her continued pain and injuries, she anticipates having future medical bills and treatment.

### **III. JURISDICTION AND VENUE**

7) The Plaintiff herein incorporates all allegations and averments contained in paragraphs 1 through 6.

8) Venue is proper in this Court pursuant to *Miss. Code Ann. 11-11-3*, as the tortious conduct which occurred in this case happened within Bolivar County, Mississippi. Moreover, venue is proper as the Defendant's place of business was located in Bolivar County, Mississippi at the property located there.

9) Thus jurisdiction and venue are proper and can be asserted by this Court without offending traditional notions of justice.

### **IV. CAUSES OF ACTION**

#### **COUNT I: NEGLIGENCE**

10) The Plaintiff herein incorporates all allegations and averments contained in paragraphs 1 through 9.

11) Defendant Dollar General had a duty to maintain their premises and prevent a dangerous condition from being present on the premises. This duty was breached by failing to maintain a safe premises.

12) Defendant Dollar General knew or should have known that their premises was in a dangerous and defective condition. Defendants had either actual or, alternatively, constructive notice of the state of their premises, prior to Plaintiff on falling it and injuring her.

13) Defendant Dollar General was negligent in failing to repair the dangerous condition of their premises and/or failing to warn of the defective and dangerous condition of their premises and as such, Defendant's failure to properly maintain its premises, proximately caused injuries to the Plaintiff.

#### **V. DAMAGES**

14) The Plaintiff herein incorporates all allegations and averments contained in paragraphs 1 through 13.

15) As a result of the Defendant's conduct, the Plaintiff requests that she be awarded the following damages from the Defendant:

- a. Any and all lawful amounts awarded by a jury;
- b. Pre and post judgment interest;
- c. Loss of past, present and future enjoyment of life;
- d. Past, present and future pain and suffering;
- e. Past, present and future emotional distress;

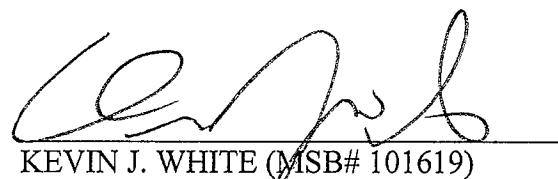
- f. All past, present and future medical bills;
- g. All past, present and future loss of wages.

#### **VI. PRAYER FOR RELIEF**

Wherefore, Plaintiff respectfully prays that the Court and Jury:

- a. award all possible monetary damages as allowed by law;
- b. award all compensatory damages as allowed by law;
- c. award all reimbursement for medical treatment;
- d. award the costs and expenses of this lawsuit, including attorney's fees;
- e. award pre and post judgment interest;
- f. award that the Plaintiff be granted such other and further relief as may be determined to be just and proper by this Court.

Respectfully submitted, this 28<sup>th</sup> day of June, 2021.



KEVIN J. WHITE (MSB# 101619)

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